

Amendments to the Drawings:

Please amend Figs. 11a, 11b and 12 to include the label - - RELATED ART - - .

REMARKS

STATUS OF CLAIMS

Claims 1-16 are pending in the application, the independent claims being claims 1, 4, 15 and 16. Claims 3, 5, 6, 10 and 11 have been withdrawn from consideration in the present application pursuant to a restriction/election of species requirement. By this Amendment, the title is amended, the drawings are amended, and claims 15 and 16 are newly presented.

SUMMARY OF ACTION

In the Action, the prior restriction/election of species requirement was made final, and claims 3, 5, 6, 10 and 11 were withdrawn from consideration in the present application. The specification (title) and drawings were objected to on formal grounds. Claims 1, 2, 4, 7-9 and 12-14 were rejected under 35 U.S.C. 102(e), as anticipated by U.S. Publication No. 2002/0118325 A1 (Hinata).

Reconsideration and withdrawal of the objections and rejection respectfully are requested in view of the above amendments and the following remarks.

FORMAL AMENDMENTS

The formal objections respectfully are traversed. Nevertheless, without conceding the propriety of the objections, the title has been amended more clearly to describe the claimed invention, and Figs. 11a, 11b and 12 have been amended to include the label - -Related Art- -, as requested by the Examiner. Replacement sheets of drawings for Figs 11a, 11b and 12 are attached hereto. No new matter has been added.

Reconsideration and withdrawal of the objections respectfully are requested.

REJECTION TRAVERSED

The rejection of claims 1, 2, 4, 7-9 and 12-14 over the Hinata '325 publication respectfully is traversed. Without conceding the propriety of the rejection, Applicant submits that the Hinata '325 patent is not prior art against the present application. The present

application claims priority based on Japanese Patent Application No. JP 2001-067650 filed March 9, 2001; Applicant has submitted herewith a verified English translation of the JP 2001-067650 application to perfect Applicant's claim for priority. The Hinata '325 publication has a U.S. filing date of February 5, 2002. Accordingly, Applicant submits that the Hinata '325 publication is removed as prior art against the present application.

For the above reasons, Applicant submits that claims 1, 2, 4, 7-9 and 12-14 are allowable over the prior art and are in condition for allowance.

REJOINDER OF CLAIMS

Claims 3, 5, 6, 10 and 11 should be rejoined in the present application and examined on the merits. Claims 3, 5, 6, 10 and 11 stand withdrawn from consideration pursuant to an election of species requirement. However, claims 3, 5, 6, 10 and 11 depend from claims 1 and 4, and therefore are believed allowable for the same reasons. Moreover, claims 3, 5, 6, 10 and 11 are believed in condition for allowance. Withdrawal of the election of species requirement and examination on the merits respectfully are requested.

NEWLY PRESENTED CLAIMS

Newly presented claims 15 and 16 have been added to provide Applicant with an additional scope of protection commensurate with the disclosure. Favorable consideration of the claims respectfully is requested.

CONCLUSION

Applicant believes the present Amendment is responsive to each of the points raised by the Examiner in the Official Action, and submits that the application is in condition for allowance. Favorable consideration of the claims and passage to issue of the application at the Examiner's earliest convenience earnestly are solicited.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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JAO:CPW/eks

Attachments:

Amendment Transmittal
Verified English Translation of JP 2001-067650
Replacement Drawings (Figs. 11a, 11b, 12)

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